

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

APPROVE INTERAGENCY REIMBURSEMENT
AMENDMENT 1 BETWEEN THE WASHINGTON STATE
ADMINISTRATION OF THE COURTS AND LEWIS COUNTY

RESOLUTION 22-230

WHEREAS, the Lewis County Board of County Commissioners (BOCC) has reviewed the Interagency Reimbursement Amendment 1 between the Washington State Administration of the Courts and Lewis County to increase funding for extraordinary costs of resentencing and vacating sentences under Blake and for the cost of refunding legal financial obligations (LFOs) under the Blake decision; and

WHEREAS, the purpose of this Amendment is to increase the amount available for reimbursements to assist Counties that have reimbursed or will reimburse LFOs to defendants whose convictions or sentences in Superior Court and District Court are affected by the *State v. Blake* decision; and

WHEREAS, the amendment extends the current agreement performance dates to June 30, 2023; and

WHEREAS, this amendment adds funding totaling up to \$486,480 for a total amount of up to \$978,190 for LFO reimbursement; and

WHEREAS, it appears to be in the best interest to authorize execution of said amendment.

NOW THEREFORE BE IT RESOLVED that Amendment 1 of the Interagency Reimbursement between the Washington State Administration of the Courts and Lewis County to increase the amount available for reimbursements to assist Counties that have reimbursed or will reimburse LFOs to defendants whose convictions or sentences in Superior Court and District Court are affected by the *State v. Blake* decision from July 1, 2022, to June 30, 2023, is hereby approved, and the Chair of the Board of County Commissioners is authorized to sign the same.

Done in open session this 27th day of July 2022.

[SIGNATURES ON NEXT PAGE]

APPROVED AS TO FORM:

Jonathan Meyer, Prosecuting Attorney

By Amber Smith, Deputy Pros. Attorney

ATTEST:

Rieva Lester, Clerk of the Board

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

Lindsey R. Pollock, DVM, Vice Chair

Sean D. Swope, Vice Chair

F. Lee Grose, Commissioner

INTERAGENCY REIMBURSEMENT AMENDMENT 1
BETWEEN
WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS
AND
Lewis County

THIS REIMBURSEMENT Amendment for is entered into by and between the Administrative Office of the Courts (AOC) and Lewis County , for the purpose of reimbursing Lewis County (County) for extraordinary costs of resentencing and vacating sentences under *Blake* and for the cost of refunding legal financial obligations (LFOs) under the *Blake* decision.

PURPOSE

The purpose of this Amendment is to increase the amount available for reimbursements to assist Counties that have reimbursed or will reimburse LFOs to defendants whose convictions or sentences in Superior Court and District Court are affected by the *State v. Blake* decision. The amount available for extraordinary expenses for resentencing and vacation of these sentences is unchanged. The Amendment 1 amount is **\$486,480**

EFFECT OF THE AMENDMENT

1. The Reimbursement and Period of Performance are amended to read as follows:

“REIMBURSEMENT

- A. Extraordinary Expenses Reimbursement. AOC shall reimburse the County up to a maximum of ~~\$1,260,500~~ for extraordinary judicial, prosecutorial, or defense-related costs of resentencing and vacating the sentences of defendants whose convictions or sentences are affected by the *State v. Blake* decision incurred during the period of July 1, 2021 to June 30, 2023. No reimbursement will be made under this Agreement for resentencing or vacation costs incurred after June 30, 2023, and any reimbursement requests in excess of this amount will be denied. If additional funding is appropriated by the Legislature for these purposes, the amount of reimbursement under this Agreement may be increased by agreement of the parties.
- B. LFO Reimbursement. AOC will reimburse the County up to a maximum of **\$978,190** for payments made by the County during the period July 1, 2021 to June 30, 2023 pursuant to court order which required reimbursement by the State of Washington of legal and financial obligations. No reimbursement will be made under this Agreement for resentencing or vacation costs incurred after June 30, 2023, and any reimbursement requests in excess of this amount stated in this Section 2 (b) will be denied. If additional funding is appropriated by the Legislature for these purposes, the amount of reimbursement under this Agreement may be increased by agreement of the

parties. Nothing in this Agreement requires the County to make payments pursuant to a court order when the funds available for reimbursement are less than the amount of the payment.

C. General. AOC shall provide reimbursement to the County for approved and completed reimbursements by warrant or account transfer within 30 days of receipt of a properly completed A-19 invoice and the completed data report as required below.

D. The maximum combined reimbursement under this contract is \$2,238,690

“PERIOD OF PERFORMANCE

Performance under this Amendment begins **July 1, 2021**, regardless of the date of execution, and ends on **June 30, 2023**. The period of performance may be amended by mutual agreement of the parties if the Legislature provides additional funding or time for these purposes.”

2. Subsection b) of section 4. **TERMS OF REIMBURSEMENT** is amended to read as follows:

“b) By May 1, 2023, the County agrees to report any allocated funds under either 2. A. or B. that it will be unable to spend during the term of the contract, or any additional funds it anticipates needing during the term of the contract should additional funds become available. AOC reserves the right to reallocate funds that are reported to be unable to be spent. “

AGREED:

Administrative Office of the Courts

Lewis County

Signature

Date

Signature

Date

Name

Lewis County

Name

Title

Title